

**Tennessee Department of Labor & Workforce Development  
Workers' Compensation Division  
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**TENNESSEE WORKERS' COMPENSATION  
LEGISLATIVE AND ADMINISTRATIVE CHANGES  
2003-2004**

**MAXIMUM/MINIMUM BENEFIT CHANGES**

The maximum weekly benefit rate for injuries occurring July 1, 2003 through June 30, 2004 is \$618.00.

The minimum weekly benefit rate for injuries occurring July 1, 2003 through June 30, 2004 is \$92.70.

**APPROVAL OF ATTORNEY FEES**

For the year beginning July 1, 2003 and ending June 30, 2004, the adjusted threshold amount for attorney fees subject to review/approval by the Commissioner of Labor and Workforce Development is \$13,037.96.

**LEGISLATIVE CHANGES**

**House Bill 0456/Senate Bill 0191** amends Tennessee Code Annotated, Section 50-6-207(3)(D). This bill changes reference from county executive to court of appropriate jurisdiction. Effective May 29, 2003.

**House Bill 1038/Senate Bill 0172**

**Section 1:** Amends Tennessee Code Annotated, Section 50-6-121. This section changes terms of members of the Workers Compensation Advisory Council. Effective May 30, 2003.

**Section 2:** Amends Tennessee Code Annotated, Section 50-6-204(a)(4)(B). Extends requirement for chiropractor to be provided on the physician panel for back injuries until June 30, 2005. Effective June 17, 2003.

**Section 3:** Amends Tennessee Code Annotated, Section 50-6-244(b). Clarifies filing requirements for statistical data form (SD1). Effective June 17, 2003.

**Section 4:** Amends Tennessee Code Annotated, Section 50-6-244. Adds new section to permit Commissioner to levy penalty for failure to complete substantially and file SD1 forms. Effective January 1, 2004.

**Section 5:** Amends Tennessee Code Annotated, Section 50-6-402(b). Substitutes "workers' compensation loss cost filing made by the designated rate service organization" for term "advisory prospective loss cost filing". Effective June 17, 2003.

**Section 6:** Amends Tennessee Code Annotated, Section 50-6-402. Requires Commissioner of Commerce and Insurance to give Advisory Council notice of assigned risk plan multiplier. Effective June 17, 2003.

**Sections 7, 8 9 and 13:** Amends Tennessee Code Annotated, Section 50-6-405. Requires Commissioner of Commerce and Insurance to issue "Certificate of Authority" to self-insured employers; establish method for revocation of Certificate; required notice to Commissioner of Labor and Workforce Development if Certificate revoked. Effective July 1, 2003.

**Section 10:** Amends Tennessee Code Annotated, Section 50-6-407. Requires every employer to display "workers' compensation notice" and deletes requirement of Certificate of Compliance. Effective July 1, 2003.

**Section 11:** Amends Tennessee Code Annotated, Section 13-7-117. Requires copy of certificate of insurance or copy of policy to obtain building permit from county building commissioner (amendment necessitated by deletion of Certificate of Compliance). Effective June 17, 2003.

**Section 12:** Amends Tennessee Code Annotated, Section 13-7-211. Requires copy of certificate of insurance or copy of policy to obtain building permit from municipal office that issues building permits (amendment necessitated by deletion of Certificate of Compliance). Effective June 17, 2003.

**Section 14:** Amends Tennessee Code Annotated, Section 50-6-405. Requires insurer to provide 3 year loss run history for workers' compensation insurance upon written request. Effective July 1 2003.

## **WORKERS' COMPENSATION FRAUD**

Tennessee Code Annotated, Section 38-6-102(d) was deleted by the state budget passed by the Tennessee General Assembly. This eliminated the Tennessee Bureau of Investigation Workers' Compensation Fraud Investigation Unit. Effective July 1, 2003. For information on workers' compensation fraud call 1-888-243-7283.

## **ELECTRONIC DATA INTERCHANGE (EDI) CLAIMS**

Effective July 1, 2003, the First Report of Work Injury (C20), Notice of First Pay (C22), Notice of Denial (C23), Change/Termination of Benefits (C26) and Final Payment (C29) must be filed electronically. The IAIABC's "EDI Implementation Guide" is the recommended reference for claims administrators in implementing EDI processing of workers' compensation information in Tennessee. For information on EDI call 1-615-532-2731.